

FILED
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
2008 FEB -8 PM 12:55

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
HAMID REZA HEDAYAT ZADEH

Plaintiff/Petitioner

DEPUTY

Civil No: '07 CV 2220 JAH (CAB)

vs.

**AFFIDAVIT IN SUPPORT FOR
REQUEST TO ENTER DEFAULT**

MICHAEL CHERTOFF, Secretary of The
Department of Homeland Security;
EDUARDO AGUIRRE JR. Director of The
United States Citizenship and Immigration
Services (CIS); Office of U.S. Citizenship and
Immigration Service for the County of San
Diego

Defendants,/Respondents

STATE OF CALIFORNIA)

) ss:

COUNTY OF SAN DIEGO)

HAMID REZA HEDAYAT ZADEH, being duly sworn, deposes and says:

1. I am a private individual Plaintiff and appear before this Honorable Court in the above-entitled action in *pro se*.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of California in support of my application for the entry of a default judgment against the defenders.

3. This is an action to compel United States Citizenship and Immigration Service ("USCIS") to conclude Plaintiff's stalled application for naturalization under USC §1447 (B) without further delay.

4. Jurisdiction and venue of this action lie with this Court which is the United States District Court for the Southern District of California and is further appropriate for the following reasons: (A) Plaintiff at all times herein mentioned resided in this district; (B) Defendants

engaged, and continued to engage extensively in matter of immigration and homeland security in district; and (C) all events giving rise to Plaintiff's claim arose in this district.

5. This action commenced on November 20, 2007 by the filing of the summons and complaint. Copies of the summons and the complaint were served on the defendants on November 21, 2007, by United States Mail, Certified with return receipt and proof of service was submitted to the Court by regular First Class U.S. Mail by the server of the process Farzad Faridi, an individual who is over the age of 18 years and not a party to this action. The defendants have not answered the complaint and the time for the defendants to answer the complaint has expired.

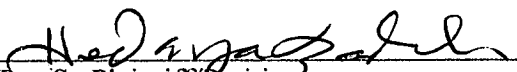
6. The relief sought in this action is for the final adjudication in Court and by the Court of Plaintiff's Stalled Naturalization Application under USC §1447(b), which application was granted on May 5, 2005.

7. The relief sought in this action *in the alternative* is for an order remanding the same to USCIS with instructions for immediate and final adjudication of Plaintiff's Stalled Naturalization Application under USC §1447(b).

8. WHEREFORE, Plaintiff requests the entry of Default and the entry of the annexed judgment(s) against defendants.

Dated: San Diego, California

(date) _____


Pro Se Plaintiff/Petitioner
Hamid Reza Hedayat Zadeh

Sworn to before me this _____
Day of _____, _____

*See Attached Notarial Certificate

Notary Public

Jurat

State of California

County of SAN DIEGO

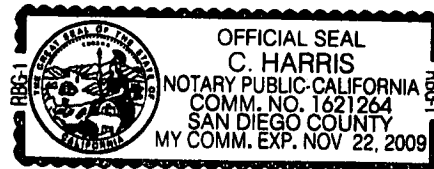
Subscribed and sworn to (or affirmed) before me on this 07 day of FEB

2008 by HAMID REZA HEDAYAT ZADEH

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

(Notary seal)



OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AFFIDAVIT IN SUPPORT FOR

(Title or description of attached document)

REQUEST TO ENTER DEFAULT

(Title or description of attached document continued)

Number of Pages 02 Document Date _____

(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

The wording of all Jurats completed in California after January 1, 2008 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one which does contain proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

HAMID REZA HEDAYAT ZADEH)
 Petitioner/Plaintiff)
 vs.)
 MICHAEL CHERTOFF, Secretary)
 of The Department of Homeland)
 Security; EDUARDO AGUIRRE JR.)
 Director of The United States)
 Citizenship and Immigration Services)
 (CIS); Office of U.S. Citizenship)
 and Immigration Service for the)
 County of San Diego)
 Defendants/Respondents)

Case No. '07 CV 2220 JAH (CAB)

DECLARATION OF SERVICE

Person Served:

THE CLERK

Date Served:

2-08-08

I, the undersigned declare under penalty of perjury that I am over the age of eighteen years and not a party to this action; that I served the above named person the following documents:

Affidavit in support for Request to enter default
 in the following manner: (check one) *(and) Request to enter Default*

- 1) By personally delivering copies to the person served.
- 2) By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
- 3) By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of his office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
- 4) By placing a copy in a separate envelope, with postage fully prepaid, for each address named below and depositing each in the U.S. Mail at

on _____, 20

Executed on Feb, 8, 2008at San Diego, CA

[Signature]
 FARZAD FARZADI